

EAC Discussion Points

Testimony of Washington State Secretary of State Sam Reed

April 20, 2006

Foundational Principles

- **Election Standards must be in place prior to the election**
 - Statutes and rules
 - Clear standards on what constitutes a vote
 - These standards cannot change during an election
 - Must be inclusive enough to anticipate foreseeable events
- **Solid working relationships must be in place prior to the election**
 - OSOS and Counties
 - Political parties and candidates
 - Media
 - Public
- **Roles must be clearly defined prior to election**
 - Secretary of State
 - County Auditors
 - Canvassing Boards

Uniform and Consistent State Standards

- **Must Have Uniform and Consistent Standards Statewide**
 - Like signature verification
 - Like provisional ballot processing
 - Like 3rd party involvement in signature processing
 - Like pre-counting ballot inspection
- **Washington had uniform standards**
 - Breakdown was in execution county to county
 - Reconciliation
 - Ballot accountability
 - Found Ballots damaged public confidence
 - Would not have lost ballots with good execution of state rules

Oversight

- **Review Program is critical to maintaining execution of state standards**
 - Reviews county compliance with state standards in actual election
- **Legislature cut program when all was well**
 - Cut money for reviews

- Cut money for training
- **Human Factors are Key**
 - Voters who did not properly mark ballots
 - Election Workers who did not properly account for all ballots
- **Planning, Training and Oversight are the key to human performance**
 - Cut planning, training and oversight and you invite human error

Quality Assurance Factors

- **Strong Review Program**
- **Strong Training Program**
- **Clear Understandable rules**
- **Planning is critical**
 - Anticipating problems—and planning for them
 - Volumes of provisional ballots
 - High turnout—sufficient workers and materials
 - Weather

Voting Systems Worked Great

- **Washington has been recounting elections for years**
 - 2004 Governor's Race
 - 2000 Senate Race
 - 2005: 12 local races statewide (6 manual, 6 machine)
 - 6 races decided by fewer than 10 votes
- **Washington's Recount Experience Confirms Voting System Reliability**
 - Voting Machines consistently counted votes accurately
 - Mistakes are not attributable to voting machines
 - Mistakes are attributable to humans
 - Voters mismark ballots
 - Election Workers fail to account for ballots

Voter Education is Critical

- Help Voters Properly mark ballots
- Promote turnout and civic responsibility
- Increase accuracy and reliability of elections

Good Elections are Everyone's Responsibility

- State must prepare clear uniform statewide standards
- State/Counties must conduct accessible, fair and accurate elections
- Voters must participate
- Voters must mark ballots properly
- Election Workers must properly account for all ballots
- Political parties and candidates must honestly represent events
- All citizens have a stake in the trust and confidence of elections

Reconciliation/Accountability is Highest Priority

- We are pretty good now
- Pretty Good is not good enough if election is 1/10,000 of percent apart
- Public expects more than pretty good if election is 1/1000 of percent apart
- Counties need to account for every ballot

Voter Trust and Confidence

- Suffered a loss
- Working to rebuild
- Disappointed slow to rebuild
- 2005 elections very smooth (but w/o close recount)

Adequate Funding for Election Programs

- Reliance on local funding—is mistake
- State needs to step up and provide funding
- Review
- Oversight
- Training

Voter Registration Database is Significant Reform

- 39 independent databases inherently problematic solution
- One unified statewide database allows state to address
- Duplicates
- Deceased
- Felon voters

Role of Courts in Recounts is the New Norm

- Can expect this as normal part of process in future
- Fact is, courts need to provide guidance sometimes
- We had four lawsuits during the recounts
- We had 20 lawsuits during 2004 election
- Two supreme courts cases processed in one week each
- Courts not equipped to make these kinds of decisions
- Courts confirmed SOS position

Strong Communications Program is Critical

- Transparency is vital
- With Counties
- With political parties
- With media
- With campaigns
- Separated WA from Florida

Strong Central Authority

- Role of Secretary of State is important
- Facilitate and provide direction
 - Must stay independent
 - Must stay neutral
- With this role, can also support strong local autonomy
- Can Interpret/Stabilize/Neutralize the Heavy Spin from candidates/campaigns
- Comment on role of political parties—keep that in perspective

Role of Political Party/Campaigns in Recounts

- Not to have a fair and impartial count
- It is to win the election
- Strong Independent Central authority to keep in perspective
- Reference Point/Center Point for courts and media

Observers

- Important part of process
- Can't drive the process, but can provide a check on the process

Risk

- Can't eliminate risk
- Can reduce risk through best management practices/oversight/redundancy